IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE D.S.R.VARMA
WRIT PETITION NOS.4116, 4117, 4118, 4120 & 4122 OF 1994

1. WRIT PETITION NO : 4116 of 1994

Between:

M/s. Chitra Ploy pack Industires Private Ltd, Hyderabad,
represented by its Managing Director, Sri R..Rajagopalan,
S/o. late Ramaswamy Iyyanger, Aged 53 yrs,
Regd.Office: 1-2-332/17,
Gagan Mahal Road, Hyderabad-29.

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PETITIONER

AND

1 Labour Court I, Hyderabad, represented by it's
Presiding Officer,II Floor,Chandra Vihar,
M.J.Road,Hyderabad-1.

2 Sri Mohd.Mahabboob , S/o. Mohd.Maulana,
H.No.6-36,Gajularamaram Road, Nehrunagar,
Shapurnagar, R.R.Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, writ or direction more particularly one in the nature of Writ of Certiorari and after calling for the records, quash the award in I.D.NO.98/88 dt.8-4-1993 on the file of the Labour
Court I, Hyderabad.

AND

2. WRIT PETITION NO : 4117 of 1994

Between:

M/s. Chitra Ploy pack Industires Private Ltd, Hyderabad,
represented by its Managing Director, Sri R..Rajagopalan,
S/o late S.Ramaswamy Iyyangar, Regd.Office: 1-2-332/17,
Gagan Mahal Road, Hyderabad-29.

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PETITIONER

AND

1.The Labour Court I, Hyderabad, reptd.,
by its Presiding Officer, II Floor, Chandra
Vihar, M.J.Road, Hyderabad-1.
2. Sri K.Narayana, S/o Agamaiah, H.No.23-19,
Girinagar, IDPL colony, Balanagar P.O.,
Hyderabad-37.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, writ or direction more particularly one in the nature of Writ of Certiorari and after calling for the records, quash the award in I.D.NO.90/88 dt.8-4-1993 on the file of the Labour
Court I, Hyderabad.

AND

3. WRIT PETITION NO : 4118 of 1994

Between:

M/s. Chitra Poly pack Industries Private Ltd., Hyderabad,
represented by its Managing Director, Sri.R.Rajagopalan,
S/o late S. Ramaswamy Iyyangar, Regd.Office: 1-2-332/17,
Gaganmahal Road, Hyderabad.

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PETITIONER

AND

The Labour Court-I,Hyderabad, rep.by it's
Presiding Officer,

II Floor,Chandra Vihar, M.J.Road,
Hyderabad-1.
2. Sri R.Yadaiah, S/o Narasimha, H.No.4-50,
Maisammagudem (post), Peda Pochampalli,
Medchal taluk, R.R.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, writ or direction more particularly one in the nature of Writ of Certiorari and after calling for the records, quash the award in I.D.NO.93/88 dt.8-4-1993 on the file of the Labour
Court I, Hyderabad.

AND

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4. WRIT PETITION NO : 4120 of 1994

Between:

M/s. Chitra Pol ypack Industries Pvt. Ltd.,
Hyderabad, represented by its Managing
Director, Sri Rajagopalan, S/o. Late
S.Ramaswamy Iyyangar,
Regd.Office: 1-2-332/17,
Gagan Mahal Road, Hyderabad-29.

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PETITIONER

AND

1. The Labour Court I, Hyderabad, represented
by its Presiding Officer,
II Floor, Chandra Vihar,
M.J.Road, Hyderabad-1.

2. Sri. P.Pentaiah, S/o. Sivaramaiah,
C/o. K.Narayana, 23-19, Girinagar,
IDPL Colony, Balanagar post, Hyderabad-37.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction or writ more particularly one in the nature of writ of certiorari and after calling for the records quash the award in I.D.No.128/1988 dated 08/04/1993 on the file of the Labour Court-I, Hyderabad.

AND

5. WRIT PETITION NO : 4122 of 1994

Between:
M/s. Chitra Poly pack Industries Private Ltd, Hyderabad,
represented by its Managing Director Sri.R.Rajagopalan,
S/o. S.Ramaswamy Iyyangar, Regd.Office: 1-2-332/17,
Gagan Mahal Road, Hyderabad-29.

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PETITIONER

AND

1. The Labour Court I ,Hyderabad represented by it's
   Presiding Officer, II Floor,
   Chahdra Vihar , M.J. Road,
   Hyderabad-1.
2. Sri M.Vittal , s/o. Ramulu,
   C/o. K.Narayana, H.No.23-19,Girinagar,IDPL Colony,
   Balanagar, Hyderabad-37.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, or direction or writ more particularly one in the nature of Writ of Certiorari and after calling for the records quash the award in I.D.NO.91/88 dt.8-4-1993 on the file of the Labour
Court I, Hyderabad.

Counsel for the Petitioner: MR.G.VIDYASAGAR
(In all the cases)

Counsel for the Respondent No.1: GP FOR SOCIAL WELFARE

(In all the cases)

Counsel for the Respondent No.2: SRI A.KRISHNA RAO
(In all the cases)

The Court made the following:

COMMON ORDER:

In all the writ petitions, learned counsel appearing

for the writ petitioners submits that he is unable to contact the petitioners to seek instructions regarding settlement of the dispute outside the Court.

2. In fact, upon suggestion of this Court and also as accepted by the counsel for the petitioners and the learned counsel for the respondent No.2, this Court has been granting adjournments in order to enable the parties to arrive at an amicable settlement. In spite of several opportunities being given, no information as regards compromise is forthcoming. That apart, today, the learned counsel for the petitioners represents before the Court that he has no instructions from his clients. Hence, the writ petitions are being disposed of on merits.

3. Though the writ petitions arise out of different awards passed by the Labour Court-I, Hyderabad, but as the facts are similar, all the writ petitions are disposed of by this common order.

4. In all the writ petitions, the termination of the workmen is the dispute before the Labour Court. All the writ petitions were filed challenging the different awards passed by the Labour Court.

5. The main grievance of the workmen in all the cases is that they were terminated orally without compliance of Section-25(f) of the Industrial Disputes Act.

6. The Labour Court having gone into the merits of the case and also relying upon the evidence on record,

both oral and documentary, passed awards in favour of the workmen. The said awards are the subject matters in this present batch of writ petitions. The Labour Court has already gone into the merits of the case. Appraised the evidence on record, formed an opinion in favour of the workmen and passed the awards accordingly.

7. Therefore, this Court exercising its jurisdiction under Article-226 of the Constitution of India cannot reappraise the evidence on record. There is neither any material placed before this Court nor any arguments were advanced by the learned counsel for the petitioners showing justifiable reasons to set-aside the impugned awards passed by the Labour Court-I, Hyderabad.

8. For the foregoing reasons, I do not find any merits in the writ petitions and the same are liable to be dismissed.

9. Accordingly, the writ petitions are dismissed. No order as to costs.

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D.S.R.VARMA, J

16.09.2004
DR

To

1. The Presiding Officer, Labour Court I, Hyderabad,
II Floor,Chandra Vihar, M.J.Road, Hyderabad-1.
2. Two CCs to the Government Pleader for Social
Welfare, High Court Buildings, Hyderabad. (OUT)
3. Two CD copies.